

### **Remarks/Arguments**

Reconsideration of this application is requested.

#### **Claim Status**

Claims 1-29 were presented. Claims 1-5, 11-18, 24-27 and 29, which are withdrawn from consideration as drawn to a non-elected species, are canceled without prejudice. Claims 6-8, 10, 19-21, 23 and 28 are amended and are now pending.

#### **Claim Objections**

Claims 10, 19, 23 and 28 are amended as suggested to correct the noted informalities. In particular, claims 10 and 23 are amended to recite "the drive magnet" rather than "the ring-shaped drive magnet", and claims 19 and 28 are amended to recite "equipment with a camera" rather than "equipment with camera".

#### **Claim Rejections – 35 USC 102(b)**

Claims 6-10, 19-23 and 28 are rejected under 35 USC §102(b) as anticipated by Sekine (US 5,572,372). In response, applicant traverses the rejections, and amends independent claims 6, 19 and 28 to clearly distinguish over Sekine.

Claims 6, 19 and 28 recite "a first magnetic member and a second magnetic member that are disposed opposite the first drive coil and the second drive coil, respectively" and "the moving body is retained at the first specified position by magnetic attraction working between the drive magnet and the first magnetic member after energization of the first drive coil is stopped". These features are not disclosed by Sekine.

The Action asserts that Sekine's terminals 49 and 50 correspond to applicant's recited first and second magnetic members. (*See Sekine FIG. 9A; col. 5, lines 25-60*). Applicant disagrees. Sekine teaches that terminals 49 and 50 provide DC voltage to coils 46 and 47. However, Sekine does not teach that terminals 49 and 50 are magnetic members.

Moreover, terminals 49 and 50 of Sekine do not allow the retaining of a moving body at a first specified position by magnetic attraction working between the drive magnet and the first magnetic member and the drive magnet moving nearer to the first magnetic member after energization of the first drive coil is stopped, as is required by claims 6, 19 and 28. Terminals 49 and 50 are not magnetic and cannot define a first specific position via magnetic attraction between the drive magnet and the first magnetic member.

Moreover, claims 6, 19 and 28 recite "a first drive coil and a second drive coil that are disposed apart from each other in the optical axis direction so as to have a gap between the first drive coil and the second drive coil" and "the drive magnet is disposed in the gap between the first drive coil and the second drive coil, and the drive magnet is moved in the optical axis direction to a first specified position which is nearer to the first drive coil and the first magnetic member or to a second specified position which is nearer to the second drive coil and the second magnetic member". These features are also not disclosed by Sekine.

Sekine discloses a movable portion 43 having a magnetic portion 51. Magnetic portion 51 constitutes a magnetic circuit with coils 46-47 (*Sekine col. 5, lines 25-60*). When a DC voltage is applied to terminals 49 and 50, an electric current flows to coils 46 and 47, and a magnetic flux is produced by coils 46 and 47. By changing the direction of the electric current, the direction of the magnetic flux can be changed. The magnetic fluxes produced by magnetic portion 51 and the magnetic flux produced by coils 49 and 50 weaken or strengthen each other to thereby produce a thrust in one direction. By this thrust, movable portion 43 including lens 31 is slid along the optical axis.

However, Sekine does not disclose that the drive magnet is disposed in the gap between the first drive coil and the second drive coil, and is moved nearer to the first drive coil or nearer to the second drive coil. Moreover, since terminals 49 and 50 are not magnetic; they cannot form a first specified position and a second specified location. Accordingly, Sekine does not disclose first and second drive coils

that are disposed apart from each other in the optical axis direction so as to have a gap therebetween, or that the drive magnet is disposed in the gap between the first and second drive coils, or that the drive magnet is moved in the optical axis direction to a first specified position that is nearer to the first drive coil and the first magnetic member or to a second specified position that is nearer to the second drive coil and the second magnetic member, as is required by claims 6, 19 and 28.


Since Sekine does not disclose each and every element of claims 6, 19 and 28, it cannot anticipate those claims or claims 7-10 and 20-23 dependent thereon. The rejections of claims 6-10, 19-23 and 28 under 35 USC 102(b) should therefore be withdrawn.

#### Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

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By:   
Troy M. Schmelzer  
Registration No. 36,667  
Attorney for Applicant(s)

1999 Avenue of the Stars, Suite 1400  
Los Angeles, California 90067  
Phone: 310-785-4600  
Fax: 310-785-4601